

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA)	
Plaintiff,)	
)	
v.)	CASE NO. 3:96CV411
)	(Financial Litigation Unit)
GREGORY HOLLOWAY,)	
Defendant,)	
)	
and)	
)	
MCGEE BROTHERS CO., INC..)	
Garnishee.)	
_____)	

ORDER OF CONTINUING GARNISHMENT

The United States obtained a judgment against Defendant, Gregory Holloway ("Holloway"), on February 7, 1997, in the amount of \$2,655.56. Subsequently, the United States sought to garnish Holloway's wages. On August 1, 2005, the Court entered a Writ of Continuing Garnishment ("Writ") to Garnishee, McGee Brothers Co., Inc. ("garnishee"). The United States is entitled to a wage garnishment of up to 25% of Holloway's net income and has satisfied the prerequisites set forth in 15 U.S.C. §1673.

The garnishee filed an Answer on September 19, 2005, stating that at the time of the service of the Writ the garnishee had in their custody, control or possession property or funds owned by the debtor, including non-exempt, disposable earnings. However, the Answer of the garnishee also stated that Holloway's wages are currently being garnished for delinquent federal taxes in the aggregate amount of \$108.49 per pay period. As the tax garnishment equals the maximum 25% collectible by the United States, additional garnishment is not appropriate at this time.

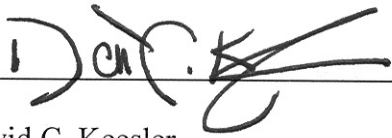
IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$3,963.15 computed through July 21, 2005.

IT IS FURTHER ORDERED that upon payment in full of the delinquent federal taxes currently being garnished from Holloway, the garnishee will pay the United States up to 25% of Holloway's net earnings which remain after all deductions required by law have been withheld and 100% of all 1099 payments, and the garnishee will continue said payments until the debt to the plaintiff is paid in full or until the garnishee no longer has custody, possession or control of any property belonging to Holloway or until further Order of this court.

Payments should be made payable to the United States Department of Justice and mailed to the United States Attorney's Office, Financial Litigation Unit, 227 West Trade Street, Suite 1650, Charlotte, NC 28202.

In order to ensure that each payment is credited properly, the following should be included on each check: Court Number 3:96CV411, District Number: 058.

Signed: December 8, 2005



David C. Keesler
United States Magistrate Judge

